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Attorneys for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

XIAOMIN ZHAO,

Plaintiff,

v.

ALEJANDRO MAYORKAS, Secretary of
Homeland Security, United States Department
of Homeland Security,

Defendant.

C 3:23-cv-04242 LJC

**STIPULATION TO STAY PROCEEDINGS;
ORDER**

The parties, through their undersigned attorneys, hereby stipulate and respectfully request the Court to stay proceedings in this case for a limited time, until April 3, 2024. The parties make this joint request because they are pursuing an administrative resolution that may render further litigation of this case unnecessary.

1. Plaintiff filed this mandamus action seeking adjudication of their Form I-589, Application for Asylum and for Withholding of Removal. United States Citizenship and Immigration Services ("USCIS") has scheduled the asylum interview to take place on December 5, 2023, and it agrees to work diligently towards completing adjudication of Plaintiff's petition, absent the need for

1 further adjudicative action or unforeseen circumstances that would require additional time for
2 adjudication.

3 2. Plaintiff agrees to submit all supplemental documents and evidence no later than seven to
4 ten days prior to the interview, pursuant to USCIS policy. Plaintiff agrees that the failure to timely
5 submit this evidence may result in the rescheduling of the interview at no fault of USCIS.

6 3. If needed by Plaintiff or their dependent(s), Plaintiff shall bring their own interpreter to
7 their asylum interview. See [https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-](https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13)
8 [provide-interpreters-starting-sept-13](https://www.uscis.gov/newsroom/alerts/affirmative-asylum-applicants-must-provide-interpreters-starting-sept-13). Plaintiff recognizes that failure to bring an interpreter to their
9 interview may result in the interview being rescheduled at no fault of USCIS.

10 4. Upon receipt of USCIS' decision, Plaintiff agrees to voluntarily dismiss this case.

11 5. The parties agree to bear their own attorney fees and costs.

12 Accordingly, the parties stipulate and request that the proceedings in this case be stayed until
13 April 3, 2024, at which time the parties will file a joint status report with the Court. At that time, the
14 parties may request a further continuance of the stay of proceedings, dismissal of the litigation if
15 appropriate, or placement of the case back on the Court's active docket. A stay of proceedings in this
16 case will benefit the parties and conserve the Court's resources while the parties pursue a potential
17 administrative resolution.

18 Dated: November 15, 2023

Respectfully submitted¹,

ISMAIL J. RAMSEY
United States Attorney

/s/ Elizabeth Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney
Attorneys for Defendant

24 Dated: November 15, 2023

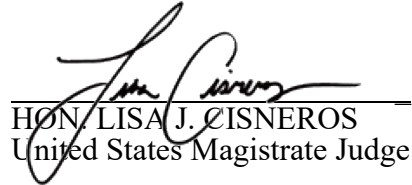
/s/ Lisa Pickering
LISA D. PICKERING
Attorney for Plaintiff

27 ¹In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all signatories listed below concur in the
28 filing of this document.

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: November 16, 2023


HON. LISA J. CISNEROS
United States Magistrate Judge